IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2228 OF 2005
IN
CRIMINAL REVISION APPLICATION NO.51 OF 1991

Shri T.Jena. ..Applicant.

V/s.

M/s.Indian Hume Pipe Company Ltd. & Ors. .. Respondents.

Shri K.N.Kore, advocate for applicant.

Shri M.M.Deshmukh, APP for the State.

CORAM: A.M.KHANWILKAR,J

DATE : OCTOBER 19, 2005.

P.C. :

1. Heard counsel for the parties. Respondent No.1 although served, none appears. No reply is filed to oppose this application. It is stated on affidavit that name of advocate on record for the applicant was not mentioned on the board issued by registry of this court. That position is fortified from the board issued for 10th January, 2005 to 14th January, 2005. Present matter is shown at Sr.No.5 as one of the matters. In so far as Revision Application Nos.51/91 is concerned appearance of M/s. Mulla & Mulla & C.B.C. is shown for the contesting respondent. Name of Mr.K.N.Kore, advocate on record

for the applicant is not mentioned. On this count alone application ought to succeed as the main matter has been decided without notice to the applicant.

2. Accordingly, without expressing any opinion on merits of the case, Common order dated January 13, 2005 passed in Criminal Revision Application Nos. 51/91 is recalled. Said revision application is restored to file to its original number to be heard on merits by the appropriate court. Application disposed of on the above terms.